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SUBJECT: MEETING WITH ACTIVIST NGUYEN KHAC TOAN, FOUNDER OF THE  
INTERNATIONAL LABOR UNION OF VIETNAM

REF: A) HANOI 1271; B) HANOI 1276; C) HCMC 0766

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#### SUMMARY

1. (SBU) In a July 16, 2007 meeting with Embassy PolOffs, Nguyen Khac Toan, former journalist and the founder of the International Labor Union of Vietnam (ILUV), discussed human rights abuses in Vietnam. ILUV is an outlawed labor union formed by Toan in October 2006 to protect the rights of Vietnamese workers. Toan also works with the Bloc 8406 democracy movement. In addition to describing his own case, Toan shared with us stories of other victims of human rights abuse in Vietnam. Since his release from prison in early 2006, GVN authorities tightly monitor Toan's whereabouts and communication. End Summary.

#### GROWING DEMOCRACY MOVEMENT

2. (SBU) Embassy PolOffs met with human rights and labor activist Nguyen Khac Toan at his Hanoi home on July 16, 2007. Toan is Chairman of the outlawed International Labor Union of Vietnam (ILUV), formed in 2006, to "protect the legitimate rights of Vietnamese workers." In the meeting, Toan described the growing democracy movement in Vietnam, which he characterized as having started 10 years ago but which has grown dramatically in the last couple of years. Toan told us over 2,400 people have applied for membership in Bloc 8406, which is affiliated with the much smaller ILUV and the Democracy Party of Vietnam (Ref. A). The democracy movement is spread throughout Vietnam, he said, with several prominent democracy activists residing in Hanoi. Toan is encouraged by the "new generation" of democracy activists, naming prominent house arrestees Nguyen Vu Binh and Dr. Pham Hong Son as among their number.

3. (SBU) Toan is editor-in-chief of Bloc 8406's underground "Freedom and Democracy Journal." He has published 10 issues of the journal, including the most recent edition on June 12, 2007. Toan posts the journal on the Internet and distributes hard copies for those who do not have Internet access. The journal's Internet website is blocked by firewalls, but dissidents routinely circumvent the firewalls to gain access, Toan reported.

VICTIMS OF HUMAN RIGHTS ABUSES

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¶4. (SBU) During the meeting, Toan highlighted for us the number of protesters that periodically come to Hanoi and gather in Mai Xuan Thuong Street Park, near an office for public complaints of the Central Party Committee. Petitioners gather to submit complaints, often regarding land rights issues, and publicly protest government policies. Ironically, Toan told us, the authorities who are guilty of the injustice are usually the same individuals who receive the complaints. Once petitions are received in Hanoi, most are referred back to the provinces where they originated, and the petitioners are then typically called in by police for questioning. Petitioners are often intimidated and arrested for filing complaints against local officials. Toan shared reports of entire families being intimidated and threatened, including having their homes "burned to the ground" by authorities. Toan explained that most petitioners are too poor to travel to Hanoi, so their complaints are not heard.

¶5. (SBU) Since his release from prison, Toan has met with many victims of social and political injustice and maintains very thorough documentation on arrests, confiscation of property, and human rights violations. He shared with us documentation of an individual who was beaten by public security officers and then had his furniture taken away. A second report focused on an individual who was arrested several times after accusing officials of corruption. During his incarceration, this same individual was forced to sleep on a concrete floor without clothing for 15 months.

#### A ROCKY RELATIONSHIP WITH GVN AUTHORITIES

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¶6. (SBU) Toan was sentenced to 12 years in prison in 2002 but, with international pressure, was released in January 2006. Toan was then put on probation for three years under "Decree 53," which mandates

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that he report any travel outside of Hanoi. He has been arrested seven times for violating parole, and each time he is given a verbal warning that he must report any travel before leaving the city.

¶7. (SBU) The GVN tightly monitors Toan's activities, and he must report his activities on a monthly basis to GVN authorities. His home phone line has been cut four times and he uses about 50 different cell phone SIM cards, he told us. In August 2006, GVN authorities confiscated nearly 50 kilos of documentation, two cell phones, and a personal computer from his home. The police questioned him for 15 consecutive days and threatened him with imprisonment if he did not stop working to document human rights cases. During the 2006 APEC Summit, the GVN prohibited all visitors from meeting with Toan. For three months during the APEC Summit period, police were stationed outside the front of his house and did not allow him to leave his home.

¶8. (SBU) The government continues to monitor closely Toan's cyber activity. He subscribed for home internet service and was connected for 12 days before being cut off. Toan normally uses internet cafes to post articles, and he added that in the last couple of months, cafe owners have not asked him to show his ID in order to log-on, as regulations require. Nonetheless, he uses internet cafes farther from his home, he told us, "to be on the safe side."

¶9. (SBU) Ending the meeting, Toan became emotional and stated that he suffers from diabetes, spine and other physical ailments but that his own government will "not allow him to be issued a visa" in order to seek medical treatment abroad.

¶10. (SBU) Comment: While we do not doubt Toan's reports of retribution suffered by some petitioners bringing their grievances to Hanoi, such protests also play an important role in limiting the worst abuses of local officials in this non-representative, authoritarian, often corrupt system. In theory, Central leaders actually encourage whistle blowers. Knowing that citizens who are "pushed too far" might take to the streets of the capital does, in

some cases, constrain the actions of local officials. Occasionally, a case is publicized and local officials are punished. In fact, while this "safety valve" exists, petitioners also run the risk, as Toan described, of ending up back in the clutches of their abusers. The only long-term solution is a transparent rule-of-law approach, rather than a system that allows officials to pick and choose which petitions serve their purposes.

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